

Notice: This decision may be formally revised before it is published in the District of Columbia Register. Parties should promptly notify this office of any errors so that they may be corrected before publishing the decision. This notice is not intended to provide an opportunity for a substantive challenge to the decision.

**Government of the District of Columbia
Public Employee Relations Board**

In the Matter of:

Doctors' Council of the District of Columbia,

Petitioner,

and

District of Columbia Department of Mental Health,

Respondent.

PERB Case No. 07-N-01

Slip Op. No. 921

ORDER ON NEGOTIABILITY APPEAL¹

IT IS HEREBY ORDERED THAT:

1. The Doctors' Council of the District of Columbia's ("Union") request to expedite this proceeding is denied.
2. The District of Columbia Department of Mental Health's ("DMH") request to hold the impasse arbitration hearing in abeyance is denied.
3. DMH's declaration of nonnegotiability was untimely, and solely on this procedural basis the Union's appeal from the DMH declaration of nonnegotiability is granted.
4. Pursuant to Board Rule 559.1, this Order is final upon issuance.

BY ORDER OF THE PUBLIC EMPLOYEE RELATIONS BOARD
Washington, D.C.

November 6, 2007

¹ In its negotiability appeal, the Union requested among other things that the Board expedite the process for considering negotiability appeals in light of the fact that the parties had initially scheduled an impasse arbitration hearing for October 18, 2007. DMH agreed that this negotiability appeal should be resolved prior to the impasse arbitration hearing, but argued that instead of expediting Board processes, the impasse arbitration hearing should be held in abeyance. The Board has now been informed that the parties have themselves agreed to delay the impasse arbitration hearing until November 15, 2007. This order is being issued prior to that date. The Board's decision will follow.

CERTIFICATE OF SERVICE

This is to certify that the attached Order on Negotiability Appeal in PERB Case No.07-N-01 was transmitted via Fax and U.S. Mail to the following parties on this the 6th day of November, 2007.

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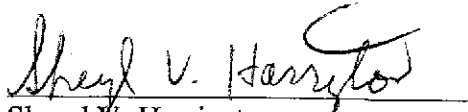
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